



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

ROBERT E. BUSHNELL
1522 K STREET NW
SUITE 300
WASHINGTON DC 20005-1202

MAILED

JAN 12 2005

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

In re Application of :
Sung-Soo LEE :
Application Serial No.: 09/580,221 : DECISION
Filed: May 26, 2000 : ON PETITION
For: **METHOD FOR CONTROLLING FAX DATA
TRANSMISSION ACCORDING TO AN
OUTPUTTING WAY OF A RECEIVING PART** :

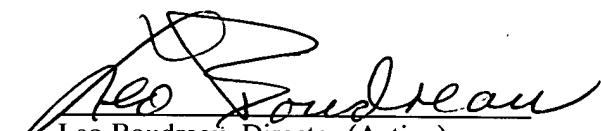
This is a decision on the Petition Under 37 CFR § 1.181 Request for Withdrawal of Premature Final Office Action filed November 8, 2005.

A final Office action was mailed May 20, 2005. On November 8, 2005 the instant petition was filed. The petition was filed more than five months after the final Office action. In accordance with 37 CFR § 1.181(f):

“The mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. Any petition under this part not filed within two months of the mailing date of the action or notice from which relief is requested may be dismissed as untimely, except as otherwise provided. This two-month period is not extendable.” (Emphasis added)

Accordingly, the petition is **DISMISSED AS UNTIMELY**.

It is noted that applicant has filed a Request for Continued Examination (RCE) on November 21, 2005. The application will be forwarded to the examiner for consideration in due course.


Leo Boudreau, Director (Acting)
Technology Center 2600
Communications